

REMARKS

By the present amendment, claim 48 has been amended to recite that the step of transferring heat, at steady state, transfers at least about 0.6 W/cc of total reactor volume. Support for this amendment is found in the original application, for example in original claim 1.

Further, claims 49-71 have been added. Support for the new claims is found in the original application, for example on page 5, lines 17-23 (claim 52), page 8, lines 24-26, page 13, lines 10-17 (68), and page 15, lines 21-22, page 16, lines 16-22, page 16, lines 27-29 (64-66), page 17, lines 1-8 (54, 55, 61, 62, 67, 69, 70), page 18, lines 13-16 (51, 58, 59, 63, 67, 68, 71), and elsewhere in the specification.

Claims 1, 5-9, 11-21 and 24-71 are pending in the present application.

In the Office Action, claim 48 is rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,488,838 to Tonkovich et al. (Tonkovich'838).

Reconsideration and withdrawal of the rejection is respectfully requested. Claim 48 as now amended recites a step of transferring heat which, at steady state, transfers at least about 0.6 W/cc of total reactor volume. This heat transfer step is not disclosed in Tonkovich'838, as admitted on page 4 of the Office Action (last sentence of first full paragraph). Therefore, it is submitted that the anticipation rejection should be withdrawn.

Next, in the Office Action, claims 1, 5-9, 11-13, 18-21, 25, 26, 32, 36, 44, 46 and 47 are rejected under 35 U.S.C. 103(a) as obvious over Tonkovich'838 in view of Mulder et al., Applied Thermal Engineering 17, 8-10, 825-836, 1997 (Mulder), claims 14-17, 24, 27-31, 33-35, 37-43 and 45 are rejected under 35 U.S.C. 103(a) as obvious over Tonkovich'838 in view of Mulder, and further in view of U.S. Patent No. 6,479,428 also to Tonkovich et al. (Tonkovich'428).

The rejection is respectfully traversed. It is submitted that Tonkovich'838 is not available as a reference for a rejection under 35 U.S.C. 103(a). The subject matter of Tonkovich'838 and the presently claimed invention were subject to an obligation of assignment to the same person at the time the present invention was made, as evidenced by the common assignee in Tonkovich'838 and the present application. As a result, under 35 U.S.C. 103(c), Tonkovich is

unavailable for an obviousness analysis.

Specifically, section 103(c) was amended in the American Inventor Protection Act of November 29, 1999 to exclude citations under section 102(e) along with citations under section 102(f) and 102(g) from an obviousness analysis. This modification of section 103(c) became effective immediately, so that it applies to the present application filed on January 27, 2000.

In view of the above, it is submitted that the obviousness rejections should be withdrawn.

CLOSURE

Applicant has made an earnest attempt to place the above referenced application in condition for allowance and action toward that end is respectfully requested.

If the Examiner has any questions or would like to speak to Applicants' representative, the Examiner is encouraged to call Applicants' attorney at the number provided below.

Respectfully submitted,

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